

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION

FILED BY JK DC  
05 AUG 26 AM 6:45

THOMAS M. GOULD  
CLERK, U.S. DISTRICT COURT  
W/D OF TN, MEMPHIS

UNITED STATES OF AMERICA,

VS.

NO. 01-20169-Ma

MARLAN MITCHELL,

Defendant.

ORDER ON *EX PARTE* MOTION FOR MENTAL EVALUATION OF DEFENDANT

Before the court is the August 8, 2005, *ex parte* motion requesting a mental evaluation of the defendant Marlan Mitchell pursuant to 18 U.S.C. §§ 4241 and 4247. For good cause shown, the motion is granted and defendant is ordered to undergo a mental evaluation. The defendant Marlan Mitchell is ordered to be transported to the Bureau of Prisons Federal Medical Center at Springfield, Missouri, or such other medical center for federal prisoners as may be designated by the Bureau of Prisons, to undergo a complete mental evaluation to determine whether he is mentally competent to understand the nature and consequences of the proceedings against him and to assist properly in his own defense.

This document entered on the docket sheet in compliance  
with Rule 55 and/or 32(b) FRCP on 8.30.05

The re-sentencing of the defendant, which is presently set on August 25, 2005, is **reset** to **Thursday, October 27, 2005, at 1:30 p.m.**

It is so ORDERED this 25th day of August, 2005.

A handwritten signature in black ink, appearing to read 'SHM', followed by a horizontal line.

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SAMUEL H. MAYS, JR.  
UNITED STATES DISTRICT JUDGE



## Notice of Distribution

This notice confirms a copy of the document docketed as number 173 in case 2:01-CR-20169 was distributed by fax, mail, or direct printing on August 30, 2005 to the parties listed.

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Honorable Samuel Mays  
US DISTRICT COURT